

Attachment A

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE REGARDING TEMPORARY MODULAR SCHOOL CLASSROOM UNITS (TC1200009)

WHEREAS, the Durham City Council wishes to amend certain provisions in the Unified Development Ordinance (UDO) regarding modular school classroom units; and

WHEREAS, it is the objective of the Durham City Council to have the UDO promote regulatory efficiency and consistency and the health, safety, and general welfare of the community;

NOW, THEREFORE, be it ordained that Article 5, Use Regulations, of the Unified Development Ordinance is amended to make the following changes set forth in the strikethroughs and underlining below:

PART 1

Sec. 5.5 Temporary Uses

[Paragraphs within this section, but not listed, remain unchanged]

5.5.2J Public Facilities

2. Location

Except for modular school classrooms, the temporary public facility may be located within street yards, so long as it is not within any required parking or landscape area. An all weather surface shall be provided for access to the temporary public facility.

3. Permitted Timeframe

Except for modular school classrooms, the temporary public facility shall not be permitted for periods longer than three years, although the permit may be renewed once for up to an additional 24 months.

4. Modular School Classrooms

When modular classroom units are needed to accommodate additional enrollment at a public school facility, a temporary use permit can be issued subject to the following:

- a.** Documentation provided by the applicant verifies the units are needed to accommodate additional student enrollment;
- b.** Documentation provided by the applicant specifies the anticipated amount of time needed for the modular units;
- c.** A stormwater impact analysis (SIA) provided by the applicant, to be reviewed and approved by the City Public Works Department, or the County Engineering Department, as applicable, shall be submitted when units are proposed on a pervious surface. Improvements determined necessary based upon an approved SIA shall be installed prior to receiving a Certificate of Compliance for the modular units;
- d.** Documentation provided by the applicant that demonstrates the existing parking facilities can accommodate the additional classrooms, or additional parking spaces shall be provided, per Article 10, Off-Street Parking and Loading.

- e. The temporary use permit shall be valid for one year, and can be renewed on a yearly basis provided the same documentation demonstrating conformance to Ordinance requirements is submitted.

PART 2

That the Unified Development Ordinance shall be renumbered as necessary to accommodate these changes and clarifications.

PART 3

That this amendment of the Unified Development Ordinance shall become effective upon adoption.